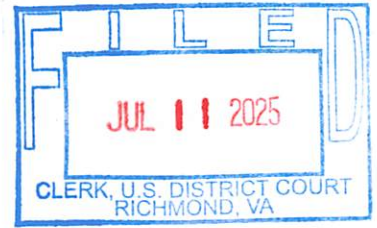


IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division



UNITED STATES OF AMERICA

v.

OMAR LEON DALEY,

*Defendant.*

No. 3:25-MJ- 76

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Hannah M. Ardrey, being duly sworn, depose and say:

1. I am a Special Agent with the Department of Homeland Security ("DHS"), Immigration and Customs Enforcement ("ICE"), Homeland Security Investigations ("HSI") and have been so employed since February 2023. I have completed the Criminal Investigator Training Program and the HSI Special Agent Training program at the Federal Law Enforcement Training Center in Glynco, Georgia. Prior to assuming my position with HSI, I was employed as a Patrol Officer with the Breckenridge Police Department in Breckenridge, Colorado for approximately three years. During my time as a Patrol Officer, I was trained to investigate many types of state violations of law to include motor vehicle and criminal statutes.

2. I have received training in various aspects of federal law enforcement, including the investigation of immigration related offenses. I have participated in multiple investigations, seizures, and search warrants that have resulted in criminal arrests, seizures, and prosecutions. I have also been the affiant on search, arrest, and seizure warrants that have resulted in successful arrests, seizures, and prosecutions.

3. My duties as a Special Agent for HSI include, but are not limited to, investigating violations of the Immigration and Nationality Act, United States customs laws, and the Federal Criminal Code. I have received training on how to investigate and enforce violations of criminal and immigration law.

4. The facts and information contained within this affidavit are based upon my personal knowledge, as well as the observations of other agents involved in this investigation. All observations not personally made by me were relayed to me by the individuals who made them or were conveyed to me by my review of records, documents, and other physical evidence obtained during the course of this investigation.

5. This affidavit contains information necessary to support probable cause for this application. This affidavit is not intended to include each and every fact and matter observed by me or known to the Government.

6. This affidavit is made in support of a criminal complaint charging Omar Leon DALEY ("DALEY") with Illegal Re-entry After Deportation/Removal Whose Removal Was Subsequent To A Conviction For Commission Of A Felony, in violation of Title 8, United States Code, Section 1326(a) and (b)(1). As described more fully below, DALEY is a citizen and national of Jamaica and an alien who was previously convicted of a felony offense in 2005 and then removed from the United States on or about January 25, 2018. Sometime after his removal from the United States, DALEY reentered the United States and was found on or about June 27, 2025, in the Eastern District of Virginia, without having first obtained the express consent of the Attorney General or her successor, the Secretary of Homeland Security, to reapply for admission.

3. My duties as a Special Agent for HSI include, but are not limited to, investigating violations of the Immigration and Nationality Act, United States customs laws, and the Federal Criminal Code. I have received training on how to investigate and enforce violations of criminal and immigration law.

4. The facts and information contained within this affidavit are based upon my personal knowledge, as well as the observations of other agents involved in this investigation. All observations not personally made by me were relayed to me by the individuals who made them or were conveyed to me by my review of records, documents, and other physical evidence obtained during the course of this investigation.

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6. This affidavit is made in support of a criminal complaint charging Omar Leon DALEY ("DALEY") with Illegal Re-entry After Deportation/Removal Whose Removal Was Subsequent To A Conviction For Commission Of A Felony, in violation of Title 8, United States Code, Section 1326(a) and (b)(1). As described more fully below, DALEY is a citizen and national of Jamaica and an alien who was previously convicted of a felony offense in 2005 and then removed from the United States on or about January 25, 2018. Sometime after his removal from the United States, DALEY reentered the United States and was found on or about June 27, 2025, in the Eastern District of Virginia, without having first obtained the express consent of the Attorney General or her successor, the Secretary of Homeland Security, to reapply for admission.

**Birth in Jamaica**

7. A review of ICE's files and computer records revealed that DALEY was born in Jamaica, and at all times relevant and material to this Criminal Complaint has been and is a citizen of Jamaica.

**Initial Entry into the United States**

8. DALEY illegally entered the United States at an unknown location and an unknown time, without admission, inspection, or parole.

9. On October 30, 2001, DALEY was encountered by the Virginia State Police ("VSP") and charged with misdemeanor fraudulent use of a birth certificate or driver's license and misdemeanor identity fraud. DALEY was not encountered by an immigration officer at any time related to this incident and I am not aware of any convictions associated with these charges.

10. On March 23, 2005, DALEY was found guilty in the United States District Court for the Eastern District of Virginia of conspiracy to possess with the intent to distribute cocaine hydrochloride, in violation of 21 U.S.C. § 846, a felony offense, and sentenced to 225 months' imprisonment with 60 months of supervised release. DALEY's sentence of imprisonment was later reduced to 180 months.

**Removal to Jamaica**

11. An ICE warrant for DALEY's arrest to initiate removal proceedings against him was issued on November 22, 2017, and was served on DALEY on December 5, 2017.

12. On December 5, 2017, DALEY was also served with a Notice of Intent to Issue a Final Administrative Removal Order (DHS Form I-851), and DALEY signed the form and checked boxes stating that he admitted the allegations and charge in the Notice of Intent and that he wished to be removed to Jamaica.

13. On January 25, 2018, DALEY was deported from the United States, as acknowledged by DALEY's signature and fingerprint on the ICE Form I-205.

**Reentry into the United States**

14. At some point after January 25, 2018, DALEY illegally entered the United States at an unknown location and an unknown time, without admission, inspection, or parole.

15. On June 27, 2025, DALEY was encountered by VSP and DHS, ICE, Enforcement and Removal Operations ("ERO") in Sussex County, Virginia, within the Eastern District of Virginia. ERO transported DALEY to the ERO office in Midlothian, Virginia where it was determined that he was illegally present in the United States and had previously been deported following his 2005 felony conviction in the Eastern District of Virginia.

16. A review of law enforcement and immigration records reveals that DALEY has not been granted permission by the Attorney General or her successor, the Secretary of Homeland Security, to lawfully re-enter the United States.

17. Based on the facts and information set forth above, I respectfully submit that there is probable cause to believe that on or about June 27, 2025, within the Eastern District of Virginia, Omar Leon DALEY, an alien who had previously been removed from the United States on or about January 25, 2018, subsequent to a felony conviction, was found in the United States without having obtained the express consent of the Attorney General or her successor, the Secretary of Homeland Security, for reapplication for admission into the United States, in violation of Title 8, United States Code, Section 1326(a) and (b)(1).

Respectfully Submitted,



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Hannah M. Ardrey  
Special Agent  
Homeland Security Investigations, Richmond, VA

Sworn to and subscribed  
Before me July 11, 2025



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Honorable Summer L. Speight  
United States Magistrate Judge  
Richmond, Virginia